

§ 69.111 [Amended]

72. Amend § 69.111(g)(4), by removing the reference “§ 61.43(e)(2)(v)” and adding, in its place, the reference “§ 61.42(e)(2)(v)”, and by removing the reference “§ 61.43(e)(2)(vi)” and adding, in its place, the reference “§ 61.42(e)(2)(vi)”.

§ 69.113 [Amended]

73. In § 69.113(c), remove the reference “§ 61.3(v)” and add, in its place, the reference “§ 61.3(x)”.

§ 69.114 [Amended]

In § 69.114(a), remove the reference “§ 61.3(v)” and add, in its place, the reference “§ 61.3(x)”.

75. Amend § 69.153, by revising paragraphs (c)(1), (d)(1)(i), and (d)(2)(i), to read as follows:

§ 69.153 Presubscribed interexchange carrier charge (PICC).

* * * * *

(c) * * *

(1) One twelfth of the sum of annual common line revenues and residual interconnection charge revenues permitted under our price cap rules divided by the historical base period local exchange service subscriber lines in use during such annual period, minus the maximum subscriber line charge calculated pursuant to § 69.152(d)(2); or * * *

* * * * *

(d) * * *

(1) * * *

(i) One twelfth of the annual common line, residual interconnection charge, and § 69.156(a) marketing expense revenues permitted under our price cap rules, less the maximum amounts permitted to be recovered through the recovery mechanisms under §§ 69.152, 69.153(c), and 69.156(b) and (c), divided by the total number of historical base period non-primary residential and multi-line business subscriber lines in use during such annual period; or * * *

(2) * * *

(i) One twelfth of the annual common line, residual interconnection charge, and § 69.156(a) marketing expense revenues permitted under parts 61 and 69 of our rules, less the maximum amounts permitted to be recovered through the recovery mechanisms under §§ 69.152, 69.153(c) and (d)(1), and 69.156(b) and (c), divided by the total number of historical base period multi-line business subscriber lines in use during such annual period; or

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DEPARTMENT OF TRANSPORTATION**Office of the Secretary****49 CFR Part 1**

[OST-99-6158, Amdt. 1-301]

Organization and Delegation of Powers and Duties; Delegation to the Commandant, United States Coast Guard

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Secretary of Transportation is delegating to the Commandant of the United States Coast Guard, authority to implement and enforce measures to prevent the introduction and spread of aquatic nuisance species (ANS) into the waters of the United States.

DATES: Effective: August 26, 1999.

FOR FURTHER INFORMATION CONTACT: Lt. Mary Pat McKeown, Office of Operating and Environmental Standards (G-MSO), (202) 267-0500, United States Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001.

SUPPLEMENTARY INFORMATION: In 1990, Congress passed the Nonindigenous Aquatic Nuisance Prevention and Control Act (NANPCA) (Pub. L. 101-646) (codified at 16 U.S.C. 4701-4751). NANPCA authorized the Secretary of Transportation, as Secretary of the Department in which the Coast Guard was operating, to implement regulations to prevent the introduction and spread of aquatic nuisance species (ANS) into the waters of only the Great Lakes. In 1992, the Secretary of Transportation delegated to the Coast Guard his authority under NANPCA to implement ANS regulations for the Great Lakes. In 1996, Congress amended NANPCA by passing the National Invasive Species Act (NISA), (Pub. L. 104-332). NISA authorized the Secretary of Transportation, as Secretary of the Department in which the Coast Guard was operating, to implement regulations to prevent the introduction and spread of aquatic nuisance species into ALL waters of the United States by issuing voluntary guidelines which are to become mandatory if voluntary compliance proves ineffective. Thus, NISA simply expanded to include all waters of the United States, the authority previously granted under NANPCA for the Great Lakes only. The Secretary of Transportation is amending the existing delegation of authority to the Commandant of the Coast Guard to include NISA's additional authority to implement ANS requirements for all waters of the United States.

We publish this rule as a final rule effective on the date of publication. Since this amendment relates to the Departmental management, organization, procedure, and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Furthermore, since this amendment expedites the Coast Guard's ability to meet the needs of its conservation and enforcement obligations, the Secretary finds good cause, under 5 U.S.C. 553(b) and 5 U.S.C. 553(d)(3), that notice and public comment on the rule are unnecessary and that this rule should be made effective on the date of publication.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended to read as follows:

PART 1—[AMENDED]

1. The authority citation for Part 1 continues to read as follows:

Authority: 49 U.S.C. 322; Pub. L. 101-552, 28 U.S.C. 2672, 31 U.S.C. 3711 (a)(2).

In § 1.46, paragraph (ww) is revised to read as follows:

§ 1.46 Delegations to Commandant of the Coast Guard.

* * * * *

(ww) Carry out the functions and exercise the authority vested in the Secretary by 16 U.S.C. 4711, which pertain to establishing and enforcing regulations to prevent the introduction and spread of aquatic nuisance species into the Great Lakes and other waters of the United States through the ballast water of vessels. This authority may be redelegated.

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Issued in Washington, DC this 18th day of June, 1999.

Rodney E. Slater,

Secretary of Transportation.

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DEPARTMENT OF TRANSPORTATION**49 CFR Part 1121**

[STB Ex Parte No. 527 (Sub-No. 2)]

Expedited Procedures for Processing Rail Rate Reasonableness, Exemption and Revocation Proceedings

AGENCY: Surface Transportation Board.

ACTION: Final rule.